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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995,
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/388,899
Filing Date	September 2, 1999
First Named Inventor	Berend HOUWEN, et al.
Group Art Unit	1641
Examiner Name	G. Gabel
Attorney Docket Number	C10690/112483

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

1. **Submission required under 37 C.F.R. § 1.114.**a. ☒ Previously submittedi. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed January 7, 2002
on _____ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____iii. ☐ Other _____b. ☒ Enclosedi. ☐ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☒ Other Preliminary Amendment, Express Mail Certificate, Return Postcard

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2. **Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for
a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)b. ☐ Other _____3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to
Deposit Account No. 02-4467i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)iii. ☒ Other Any deficiencyb. ☒ Check in the amount of \$ 740.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)

Charles T. J. Weigell

Registration No. (Attorney / Agent)

43,398

Signature

Date

3/7/02

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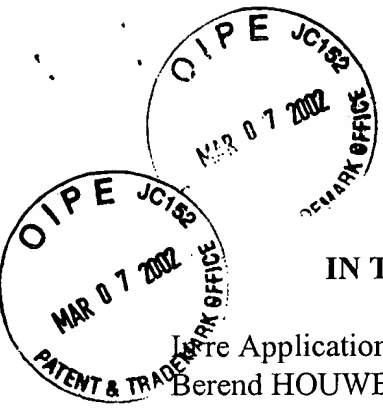
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Docket No.: C1069041248

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Berend HOUWEN, *et al.*

Serial No.: 09/388,899

Filed: September 2, 1999

)
)
) Examiner: G. Gabel
)
) Art Unit: 1641
)

For: **METHOD FOR CLASSIFYING AND COUNTING LEUKOCYTES**

March 7, 2002

BOX RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING

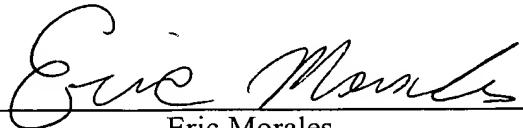
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Date of Deposit: March 7, 2001

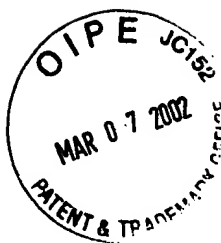
I hereby certify that the following:

1. This Certificate of Express Mailing (1 p.);
2. Request for Continued Examination (1 p.);
3. Preliminary Amendment (8 pp.)
4. Check in the amount of \$740 to cover RCE fee;
5. Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. §1.10 on the Date of Deposit indicated above in an envelope addressed to Box RCE, Assistant Commissioner for Patents, Washington, D.C. 20231.

BRYAN CAVE LLP
245 Park Avenue
New York, NY 10167


Eric Morales



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Docket No.: 10690/112483

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :)
Berend HOUWEN, *et al.*)
) Examiner: G. Gabel
Serial No.: 09/388,899)
) Art Unit: 1641
Filed: September 2, 1999)

For: **METHOD FOR CLASSIFYING AND COUNTING LEUKOCYTES**

March 7, 2002

PRELIMINARY AMENDMENT

BOX RCE
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This Preliminary Amendment is filed concurrently with a Request for Continued Examination (RCE) under 37 C.F.R. §1.114. The Preliminary Amendment and RCE are submitted in response to the Advisory Action dated February 4, 2002.

On October 31, 2001 Applicants filed a Rule 116 Response to the Final Office Action and a Notice of Appeal. These documents were not received by the Patent Office until January 7, 2002, as stated in the Advisory Action and date stamped on our return postcard.

As such, Applicants' two month period for filing an appeal brief expires on March 7, 2002. 37 C.F.R. §1.192(a); MPEP §1206. Applicants, therefore, submit that this Preliminary Amendment is timely filed upon mailing with an executed Certificate of Express Mailing, on or before March 7, 2002. 37 C.F.R. §§1.10, 1.115 and 1.134.